

VZCZCXRO4531  
OO RUEHBI RUEHLMC  
DE RUEHLM #0413/01 0730357  
ZNY CCCCC ZZH  
O 140357Z MAR 07  
FM AMEMBASSY COLOMBO  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5644  
INFO RUEHRL/AMEMBASSY BERLIN PRIORITY 0269  
RUEHKA/AMEMBASSY DHAKA PRIORITY 9957  
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 6926  
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 5003  
RUEHLO/AMEMBASSY LONDON PRIORITY 3597  
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 0741  
RUEHNY/AMEMBASSY OSLO PRIORITY 3684  
RUEHOT/AMEMBASSY OTTAWA PRIORITY 1009  
RUEHKO/AMEMBASSY TOKYO PRIORITY 2764  
RUEHCG/AMCONSUL CHENNAI PRIORITY 7499  
RUEHBI/AMCONSUL MUMBAI PRIORITY 5203  
RUEHON/AMCONSUL TORONTO PRIORITY 0134  
RUEHLMC/MILLENNIUM CHALLENGE CORPORATION PRIORITY  
RHEFDIA/DIA WASHINGTON DC PRIORITY  
RUEHGV/USMISSION GENEVA PRIORITY 1882  
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY  
RHHMUNA/HQ USPACOM HONOLULU HI PRIORITY  
RUEHBS/USEU BRUSSELS PRIORITY

C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 000413

SIPDIS

SIPDIS

DEPARTMENT FOR SCA/INS  
MCC FOR S GROFF, D NASSIRY, E BURKE AND F REID

E.O. 12958: DECL: 03/12/2017  
TAGS: [PGOV](#) [PREL](#) [PTER](#) [PHUM](#) [MOPS](#) [CE](#)  
SUBJECT: SRI LANKA: PDAS MANN PRESSES PRESIDENT ON  
DEVOLUTION AND HUMAN RIGHTS

Classified By: Ambassador Robert O. Blake, Jr., for reasons 1.4(b,d).

¶1. (C) SUMMARY: President Rajapaksa told visiting PDAS for South and Central Asia Steven Mann that the Sri Lankan Freedom Party would present its proposals for devolution by March 14. He outlined a multi-tiered process for reconciling this with proposals of other parties, submitting the proposal to Parliament, holding either a referendum or a series of "town meetings" to get input from the general public, and obtaining a ruling from the Supreme Court on the constitutionality of the proposal. Mann urged the President to think boldly and present ideas that would elicit a groundswell of enthusiasm from Sri Lanka's minority Tamils and Muslims. Mann pressed for an improvement in the government's record on human rights, noting that the rise in abductions was placing the U.S., a firm supporter of Sri Lanka, in a difficult position. Limitations placed on the role of the expert assistants to the eminent persons' panel threatened to hamstring its cooperation with the national Commission of Inquiry on Human rights, the Ambassador noted. The U.S. side asked Rajapaksa to rein in illegal activities of the Karuna group. The President responded that after the government consolidates its military gains in the East, the Karuna group would enter the mainstream as a normal political party. End summary.

DEVOLUTION PROPOSAL BY MARCH 14  
-----

¶2. (C) President Mahinda Rajapaksa told visiting SCA PDAS Steven Mann that the ruling Sri Lankan Freedom Party (SLFP) would present its proposal on a power-sharing plan for Sri Lanka on March 14. The SLFP would convey its proposal to the All-Party Representative Committee (APRC), which would then discuss it. The President made clear there would be a number of steps in clearing the final proposal: after the APRC, the All-Party Conference (APC) would consider it, then the full

Parliament.

¶3. (C) The President also said he would insist on presenting the plan to the public, either by referendum or possibly through a set of "town hall"-style meetings. Referring to his election manifesto, the "Mahinda Chintana," he asserted that "we have to give the people who voted for me the right to vote on (the plan)." The President also said that the plan would have to be blessed by the Supreme Court. "We can't violate the Constitution."

¶4. (C) Rajapaksa noted that whatever plan his government presents, "it will not be for the LTTE." He believed the LTTE would reject it, as they had all other such proposals for the past 25 years. He said that instead, the government would seek to speak to all of Sri Lanka's communities, including the majority Sinhalese, the Tamils and the Muslims. "It must be accepted by all. We can't propose a solution that any of them will reject." He thought that the LTTE position would be heavily influenced by the Tamil Diaspora, and by Tamil opinion in South India.

¶5. (C) PDAS Mann responded that Sri Lanka now faced an important political moment. Because of the President's political skills, he was in a unique position now to affect the situation for the better. "It takes a master politician to thread this needle." Our hope, said Mann, was that the proposal to emerge from the process would be qualitatively different from previous ones, and that it would elicit a "groundswell of enthusiasm within the Tamil community for a realistic, stable way forward."

#### HUMAN RIGHTS

COLOMBO 00000413 002 OF 003

-----

¶6. (C) PDAS Mann observed that Sri Lanka probably had no more effective friend than the U.S. (The President interjected that he felt "only the U.S. and Japan were supporting Sri Lanka 100 per cent.") Mann noted U.S. concern about the deteriorating human rights situation in Sri Lanka. He asked President Rajapaksa to take effective action to reverse the negative trend. Mann stressed that the rise in politically motivated disappearances, in particular, was putting the U.S. in a difficult position.

¶7. (C) Rajapaksa responded that when the GSL arrests suspects, it holds them briefly for interrogation, sometimes sends them to the Boossa detention facility near Galle, and often releases them. He noted that one of the assailants who attempted to assassinate his brother, Defense Secretary Gothabaya Rajapaksa, had been detained and released three months before the incident. The President regretted all the "publicity and propaganda" about supposed human rights violations and thought that "Sri Lanka has failed on public relations."

¶8. (C) Ambassador agreed that the GSL sometimes does not communicate well. For example, he noted, the Inspector General of Police had recently disclosed that a number of members of the security forces had been arrested for involvement in abductions and ransom schemes. However, no one knew about these cases. The President and the Ambassador agreed to exchange lists: the Ambassador offered to provide for government comment a list compiled by Sri Lankan NGOs of those who had been abducted in Sri Lanka with suspected involvement by the security forces. The President offered to provide, on a confidential basis, the names of members of the security forces arrested in connection with such incidents.

#### COMMISSION OF INQUIRY ON HUMAN RIGHTS

-----

¶9. (C) President Rajapaksa cited the International Independent Group of eminent Persons (IIGEP) as an

unprecedented example of a country inviting in foreign experts to observe a national Commission of Inquiry (CoI). Mann noted that the U.S. and other donor countries had invested significant resources in the project. "Frankly, we need this to work." He requested that the President ask the Attorney General to take a second look at the terms for interaction between the CoI and the IIGEP, and at the limitations put on the role of the IIGEP expert assistants (septel). Rajapaksa responded that he did not understand why the IIGEP chair, former Indian Chief Justice Bhagwati, had recently sent a letter to the head of the CoI complaining of the role of the Attorney General's office as counsel to the CoI. "I don't know why he feels the Attorney General is obstructing the process."

¶10. (C) Mann said that the rules of engagement needed to empower the assistants to act on behalf of the Eminent Persons when the EPs are absent. The Ambassador noted that the assistants were, in fact, well-regarded in their fields and had been recruited specifically for their technical expertise. He explained that there was concern about an apparent effort to circumscribe the work of these assistants in a way that would impair the credibility of the entire inquiry.

KARUNA GROUP TO ENTER MAINSTREAM?  
-----

¶11. (C) As an example of well-intentioned but misguided

COLOMBO 00000413 003 OF 003

foreign pressure on his government, Rajapaksa cited the example of the calls on the GSL to stop illegal activities of the LTTE breakaway "Karuna group." The president said the government did not want to fight on two fronts simultaneously. "Once we have the LTTE out of the Eastern province," he said, "the Karuna group will come into the mainstream." He pledged the government would take action against the Karuna group if it involved itself in abductions and extortion.

¶12. (C) Ambassador noted that when he visited Batticaloa on February 21, the Catholic bishop, Buddhist clergy, and civil society groups had all complained that the Karuna group had taken the law into its own hands. The impression was that the government had ceded control of security to Karuna. Karuna cadres had taken the opportunity to loot warehouses of NGOs and international organizations, the Ambassador said. He emphasized that this was not happening in the jungles, but openly, in a government-controlled, major city.

¶13. (C) Mann, summarizing the human rights issues, stressed that the U.S. understood well the terrorist nature of the LTTE organization. Still, he said, he and other senior officials would be called on to explain U.S. support for the GSL in light of international concerns about the human rights situation. He would need to be able to offer an honest judgment as to whether the situation was getting better or worse. The government's recent military progress in the East needed to be accompanied by a more secure environment for the people in the East and by increasing confidence in strengthening the rule of law.

¶14. (SBU) PDAS Steven Mann has cleared this message.  
BLAKE